2005 DRAFTING REQUEST

Bill

Received: 07/08/2005 Wanted: As time permits For: Luther Olsen (608) 266-0751 This file may be shown to any legislator: NO					Received By: pgrant				
					Identical to LRB:				
					By/Representing: Jennifer Kammerud Drafter: pgrant				
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Received: 07/08/2005

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Identical to LRB:

For: Luther Olsen (608) 266-0751

By/Representing: Jennifer Kammerud

This file may be shown to any legislator: **NO**

Drafter: pgrant

May Contact:

Addl. Drafters:

Subject:

Education - sch. dist. reorg.

Extra Copies:

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Submit via email: YES

Requester's email:

Sen.Olsen@legis.state.wi.us

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

School district reorganization orders; mailing requirements

Instructions:

See Attached

Drafting History:

Vers.

Drafted

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FE Sent For:

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DEPARTMENT OF PUBLIC INSTRUCTION 2005 LEGISLATIVE SESSION

STATUTORY LANGUAGE CHANGE PROPOSAL



Subject:

CHANGE MAILING REQUIREMENTS—SCHOOL DISTRICT REORGANIZATION

ORDERS

Agency Contact:

Jennifer Kammerud (266-7073)

3388

Description of Intent/Comparison to Current Law:

Current law requires that if a resolution or order filed with the School District Boundary Appeal Board (SDBAB) affirms or grants a reorganization or resolves a boundary dispute, within five days after receipt of the resolution or order, the secretary of the SDBAB must send, by certified mail, a certified copy of the resolution or order to the clerk of each city, village, town or county, any part of which is contained within an affected school district, or any part of which is contained within an interested school district if the resolution or order resolves a boundary dispute. Although not required under current law, the department also sends a copy of resolutions or orders, by regular mail, to the school district administrators and school district board clerks of the affected school districts as well as to the petitioner(s).

This proposal would change the mailing requirements as follows:

- A certified copy of the resolution or order would be sent, by certified mail, to: (1) school district administrators of the affected school districts, (2) school district board clerks of the affected school districts, (3) the clerk of the municipality in which the property is located, and (4) the petitioner(s)
- A certified copy of the resolution or order would be sent, <u>by regular mail</u>, to the clerk of each city, village, town or county, any part of which is contained within an affected school district, or any part of which is contained within an interested school district if the resolution or order resolves a boundary dispute.

The proposal ensures that the department would have a record that certified copies of the resolution or order had been received by the school districts involved, the municipality in which the property is located and the petitioner(s). Notices to the clerks of municipalities that are within an affected school district, but do not contain the property, as well as notices to county clerks, are considered courtesy copies. Mailing these notices by regular mail rather than certified mail seems reasonable and adequate.

The proposal would reduce costs and staff time associated with certified mailings. The average cost of each certified mailing is \$4.00. Total cost in FY04 of doing the certified mailings, as required by current law, was approximately \$1200 and 15 hours of staff time. It is estimated that by requiring certified mailing only as indicated above, and by sending the other notices by regular mail, department expenses could be decreased significantly, and support staff time could be redirected to other tasks. For example, it is estimated that approximately \$900 would have been saved in FY04 if the proposal had been in effect during that year, and staff time would have been reduced as well.

Action in Previous Legislation:

No similar proposals have been introduced in previous legislative sessions.

Related Stat. Citations:

s. 117.17 (2), Wis. Stats.

Requested Effective Date:

Upon passage.

Grant, Peter

From:

Kammerud, Jennifer DPI

Sent:

Thursday, July 21, 2005 7:51 AM

To:

Grant, Peter

Cc:

Smith, Heather; Kane, Elizabeth E DPI

Subject:

Changing Mailing Requirements - School District Reorganization Orders

Peter,

While I am on vacation this week, I did have a chance to talk further with our staff about the mailing requirement change we spoke about last week. What we would like to do is change the mailing requirement as follows:

A certified copy of the resolution or order would be sent by certified mail to only the following: 1) school district board clerks of the affected school districts, 2) the clerk of the municipality in which the property is located, and 3) the county clerk.

I hope this clarifies the issue. I will be back in the office on Monday if you need to reach me. I do want to take this opportunity to thank you for your help and insights on this issue.

- Jennifer

Jennifer Kammerud Legislative Liaison Department of Public Instruction 125 South Webster Street Madison, WI 53707 Ph: 608/266-7073

E-mail: jennifer.kammerud@dpi.state.wi.us

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2.

also. Aill want reg. mail provision's las under convent law)?

Grant, Peter

From:

Grant. Peter

Sent:

Thursday, July 21, 2005 10:07 AM

To:

Kammerud, Jennifer DPI

Cc:

Smith, Heather; Kane, Elizabeth E DPI

Subject:

RE: Changing Mailing Requirements - School District Reorganization Orders

Jennifer, I still have a couple of questions. I'm not sure what you mean by "in which the property is located," which I assume applies to both (2) and (3) below. I assume you mean the "territory" in sections 117.12 and 117.13 (detachment and attachment of territory), 117.132 (annexation of territory), and 117.135 (boundary disputes). But what territory do you mean under sections 117.10 (dissolution) and 117.105 (creation of school district)?

Second, I'm assuming, although you don't say below, that you still want regular mail notices for the clerk of each city, village, town or county contained within an affected school district or within an interested school district (in the case of a boundary dispute). Is that correct?

Peter

----Original Message----From: Kammerud, Jennifer DPI

Sent: Thursday, July 21, 2005 7:51 AM

To: Grant, Peter

Cc: Smith, Heather; Kane, Elizabeth E DPI

Subject: Changing Mailing Requirements - School District Reorganization

Orders

Peter,

While I am on vacation this week, I did have a chance to talk further with our staff about the mailing requirement change we spoke about last week. What we would like to do is change the mailing requirement as follows:

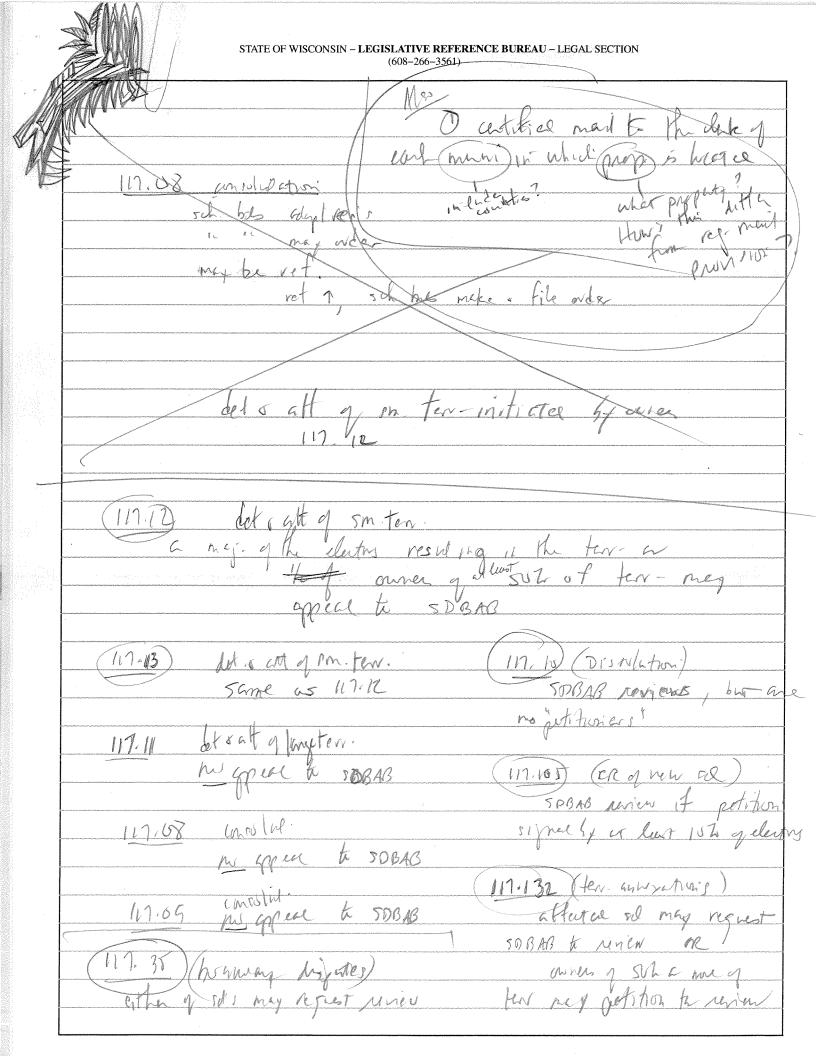
A certified copy of the resolution or order would be sent by certified mail to only the following: 1) school district board clerks of the affected school districts, 2) the clerk of the municipality in which the property is located, and 3) the county clerk.

I hope this clarifies the issue. I will be back in the office on Monday if you need to reach me. I do want to take this opportunity to thank you for your help and insights on this issue.

- Jennifer

Jennifer Kammerud Legislative Liaison Department of Public Instruction 125 South Webster Street Madison, WI 53707 Ph: 608/266-7073

E-mail: jennifer.kammerud@dpi.state.wi.us



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BILL

LRB - 33281)

Use the appropriate components and routines developed for bills.

AN ACT... [generate catalog] to repeal...; to renumber...; to consolidate and renumber...; to renumber and amend...; to consolidate, renumber and amend...; to amend...; to repeal and recreate...; and to create... of the statutes; relating to:

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[Note: See section $4.02\ (2)\ (br)$, Drafting Manual, for specific order of standard phrases.]

Analysis by the Legislative Reference Bureau

If titles are needed in the analysis, in the component bar:

For the analysis text, in the component bar:

For the text paragraph, execute: create \rightarrow anal: \rightarrow text

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION #.

renumbered in. 12(2) (intru.) and

Section #. 117.17 (2) of the statutes is amended to read:

117.17 (2) FILING. A certified copy of any resolution or order granting, affirming or denying a reorganization or resolving a boundary dispute shall be filed, within 5 days after it is adopted or issued, with the secretary of the board. Upon receipt of the resolution or order, the secretary of the board shall immediately place on it the date upon which it was received. If the resolution or order affirms or grants a reorganization or resolves a boundary dispute, within 5 days after receipt of the resolution or order the secretary of the board shall send, by certified mail, a certified copy of the resolution or order to the clerk of each city, village, town or county, any part of which is contained within an affected school district, or any part of which is contained within an interested school district if the resolution or order resolves a boundary dispute.

History: 1989 a. 114; 1993 a. 392; 1997 a. 286; 1999 a. 18.

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Northrop, Lori

From:

Smith, Heather

Sent:

Monday, August 29, 2005 1:11 PM

To:

LRB.Legal

Subject:

Draft review: LRB 05-3328/1 Topic: School district reorganization orders; mailing requirements

It has been requested by <Smith, Heather> that the following draft be jacketed for the SENATE:

Draft review: LRB 05-3328/1 Topic: School district reorganization orders; mailing requirements